

Application No. 09/997,061
Applicants: Achim Franck et al.
Amendment in Response to Office Action dated May 20, 2003

REMARKS

Applicants respectfully request reconsideration and allowance of this application in view of the amendments attached and the following comments.

The Examiner objected to the specification for not providing antecedent basis to claims 20, 21, 26, 27, 29 and 30-31. In response, the specification has now been amended to provide antecedent basis to the claims. It is believed that no new matter has been added.

Claims 19-44 are pending. Amendments have been made to claims 19, 26, 32 and 34 in response to the rejections under 35 U.S.C. 112, first and second paragraphs. Claim 39 has been amended for sake of clarity. It is believed that no new matter has been added.

Rejections under 35 U.S.C. 112, second paragraph

The Examiner rejected claims 26, 27, 32 and 34 under 35 U.S.C 112, second paragraph as being indefinite. In response, Applicants have separated "breadth" and "depth" which are believed to separate parameters. "Breadth" is referred to in claim 26; and "depth" in claim 27. Regarding the phrase "equal to or greater than at least that of the adhesive sheet" in claim 26, Applicants point out that the phrase refers to the "breadth", not the "region". Also, the term "at least" has been canceled for clarity to show that breadth, which refers to the width of the region as evidenced by the specification at Example A, is equal to or greater than the breadth of

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adhesive sheet. The term "reduced" in claim 32 has been canceled in favor of the term "formed". Applicants point to page 6, lines 14-16 of the specification which generally describes the processes used in producing the devices. The Examiner also found claim 34 indefinite. Applicants have now amended the claim to show that the adhesive sheet can adhere to the edges of the region, for example, towards the end of the adhesive portion of the adhesive sheet, and the grip tab of the adhesive sheet projects beyond these edges such that the grip tab and the region are separated by a distance V. Applicants refer the Examiner to Figures 5 and 6 which shows the grip tab (6) extending beyond the edges of the region (4).

For the record, Applicants emphasize that although the claims were amended to overcome this rejection, and, therefore, might be considered to have been amended for a reason substantially related to patentability, a fair reading of the amended claims will reveal that the departures from the previous claims were for clarification purposes only, and that Applicants did not narrow the claims in any material respect. Therefore, Applicants submit that the amended claims are entitled to the full range of equivalents.

In view of the foregoing, Applicants submit that the Examiner would be fully justified to reconsider and to withdraw this rejection. An early notice that this rejection has been reconsidered and withdrawn is, therefore, earnestly solicited.

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Rejections under 35 U.S.C. 112, first paragraph

Claims 19-44 are rejected under 35 U.S.C. 112, first paragraph for lack of enablement. The Examiner found the absence of a critical element in the claim as not being enabling. In response, Applicants have amended claim 19 to refer to the device as a "redetachable self-adhesive device".

In view of the foregoing, Applicants submit that the Examiner would be fully justified to reconsider and to withdraw this rejection. An early notice that this rejection has been reconsidered and withdrawn is, therefore, earnestly solicited.

Conclusion

Applicants believe that the foregoing constitutes a bona fide response to all outstanding objections and rejections.


Applicants also believe that this application is in condition for immediate allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

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Early and favorable action is earnestly solicited.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Amendment under 37 CFR § 1.111 (14 pages total) is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date: October 20, 2003

By 
David D. Kim

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CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.